

Attorney Docket: 043043-0359295

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of: H. PETER VOLLMERS, ET AL. Confirmation Number: 7070

Application No.: 10/579,290 Group Art Unit: 1643

Filed: July 12, 2006 Examiner: TBA

Title: ADENOCARCINOMA SPECIFIC ANTIBODY SAM-6, AND USES THEREOF

STATEMENT UNDER 37 C.F.R. §1.804(b)

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Frank Hensel, hereby state that the biological material which is deposited is a biological material specifically identified in the application as filed.

Dated: 19 April 2008

Frank Hensel
Frank Hensel

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE



INTERNATIONAL FORM

Patrys Ltd.
Level 2, 517 Flinders Lane
Melbourne, Victoria 3000
Australia

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: SAM-6 Hybridoma, 108/98-31-38p41 Klon41	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM ACC2903
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable).	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on 2008-04-03 (Date of the original deposit) ¹ .	
IV. RECEIPT OF REQUEST FOR CONVERSION	
The microorganism identified under I above was received by this International Depositary Authority on _____ (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on _____ (date of receipt of request for conversion).	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Address: Inhoffenstr. 7 B D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): Date: 2008-04-17

¹ Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE



INTERNATIONAL FORM

Patrys Ltd.
Level 2, 517 Flinders Lane
Melbourne, Victoria 3000
Australia

VIABILITY STATEMENT
issued pursuant to Rule 10.2 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name: Patrys Ltd. Level 2, 517 Flinders Lane Address: Melbourne, Victoria 3000 Australia	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM ACC2903 Date of the deposit or the transfer ¹ : 2008-04-03
III. VIABILITY STATEMENT	
The viability of the microorganism identified under II above was tested on 2008-04-07 ² . On that date, the said microorganism was (X) ³ viable () ³ no longer viable	
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED ⁴	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Address: Inhoffenstr. 7 B D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): Date: 2008-04-17

¹ Indicate the date of original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).

² In the cases referred to in Rule 10.2(a) (ii) and (iii), refer to the most recent viability test.

³ Mark with a cross the applicable box.

⁴ Fill in if the information has been requested and if the results of the test were negative.